

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN BAX,	)	
	)	
Petitioner,	)	Civ. Action No. 05-194 (Erie)
	)	
v.	)	Judge Sean J. McLaughlin
	)	Magistrate Judge Susan Paradise Baxter
WARDEN, FCI MCKEAN,	)	
	)	filed electronically
Respondent.	)	
	)	

**SECOND MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSE**

AND NOW, comes Respondent James F. Sherman, Warden, FCI McKean, by his attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christy Wiegand, Assistant United States Attorney for said district, and respectfully requests this Honorable Court to enter an Order enlarging the time to file a Response to the Petition filed in this matter for the following reasons:

1. Respondent's Response to Petitioner's Petition for Writ of Habeas Corpus is presently due on or before September 30, 2005.
2. Due to court appearances and litigation responsibilities of counsel for Respondent during the remainder of the month of September and early October, Respondent requires additional time to prepare a Response to the Petition.

WHEREFORE, for the foregoing reasons, the Respondent respectfully requests that this Honorable Court enter an Order enlarging the time for filing a Response to the Petition for an additional twenty (20) days, or until October 20, 2005.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/ Christy Wiegand  
CHRISTY WIEGAND  
Assistant U.S. Attorney  
U.S. Courthouse  
and Post Office  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
(412) 644-3500  
Counsel for the Respondent

**CERTIFICATE OF SERVICE**

I hereby certify that I have served this date a copy of the within *Second Motion for Enlargement of Time to File Response*, by mail or electronic filing, upon the following:

John Bax  
Reg. No. 07328-067  
FCI McKean  
P.O. Box 8000  
Bradford, PA 16701

s/ Christy Wiegand  
CHRISTY WIEGAND  
Assistant United States Attorney

Date: September 21, 2005